

Exhibit E

Frank Discala

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Rodriguez, et al. v. The Islamic Republic of Iran</i>	18-cv-12347 (GBD)(SN) ECF Case

DECLARATION OF FRANK DISCALA

I, Frank Discala, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than eighteen (18) years of age and I have personal knowledge of and am competent to testify to the matters stated in this declaration. I am a citizen of the United States. I was a citizen of the United States on September 11, 2001.

2. On September 11, 2001, I was an officer with the Nassau County Police Department assigned to the 5th Precinct in Elmont, New York. The morning of September eleventh I was off duty and learned that a plane had hit the one of the towers of the World Trade Center from television reports. I continued to watch the reports until the second tower was struck by another plane. Very shortly thereafter, a radio call for all police officers to report to command was broadcast. At command I was instructed, along with other officers, to secure the boundary between Nassau County and Queens County along Hempstead Turnpike. We were instructed that no civilian traffic was to be allowed to enter New York City. I was stationed at that location from soon after the attacks until 11:00 p.m. that night. We were told to report to the Nassau Coliseum the following morning.

3. At 5:00 a.m. the day after the attacks we were transported by bus from the Nassau Coliseum to Ground Zero to assist in the rescue and recovery effort. We began at Ground Zero that morning looking through the debris and assisting in any way we could. Later we began searching the buildings around Ground Zero that were still standing for anyone who might be inside. We were also handling security, insuring that unauthorized people were not entering the area. We worked the security detail in the immediate vicinity of Ground Zero and later as far north as Canal Street. Ground Zero was burning and smoldering. There was smoke and ash in the air. Our boots and clothing were covered with ash. The ground was littered with twisted iron and piles of debris. We had no personal protective equipment when we arrived on scene and were eventually given paper masks that were inadequate to filter all the dust, ash, and debris that was floating in the air. We were on site for 15 hours or more on day after 9/11.

4. In the following days and months our department was requested to provide security at the morgue which had been temporarily expanded with tents outside of the building to receive the ambulances transporting human remains from Ground Zero so they could be tested to identified. Nassau County Police were placed in charge of morgue security and our precinct assisted with other precincts as was needed. The morgue was located about a quarter of a mile from Ground Zero. Everything around the morgue was also covered with soot and ash coming from the site of the attacks. I believe I worked the security detail at the morgue a total of six times. We worked twelve-hour shifts.

5. In 2002, I began to experience a series of health issues. I did not initially connect these with the time I spent at and around the World Trade Center site after the attacks. My problems began with issues involving my eyes, nose, and throat. I began to have blurred vision and extremely dry eyes. My nose and throat were sore and irritated. I was also having problems

sleeping and began to snore audibly. I was also experiencing acid reflux which was extremely painful and problematic. I was also experiencing frequent and severe headaches. I went to see my private physician and was given several diagnoses. I had a sleep study performed and it was determined that I suffered from sleep apnea. I was also diagnosed with gastro-esophageal reflux disease and I was told that there were abnormalities with my thyroid function. In 2011, I suffered a collapsed lung during physical training and had to be hospitalized. Six months later I had a recurrence and was required undergo surgery to repair my lung. I have developed nodules on my thyroid and liver. Prior to 9/11, I had never experienced any of these medical problems.

6. After dealing with my medical issues with private physicians for several years, I learned about the World Trade Center Health Program (WTCHP) through the Police Benevolent Association. I began the WTCHP annual monitoring program in 2014.

7. I continue to be monitored by the WTCHP. After the diagnoses of my medical conditions by the WTCHP, I applied to the Victim Compensation Fund (VCF). Based on the information the VCF received from the WTCHP, I was found eligible for compensation for injuries including chronic pharyngitis, chronic sinusitis, gastro-esophageal reflux disease, and obstructive sleep apnea. A true and correct copy of the VCF eligibility determination letter documenting the physical injuries I suffered from the attacks on 9/11 is submitted with this declaration as part of this exhibit.

I DECLARE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 28 day of April, 2025



Declarant Frank Discala



September 11th
Victim Compensation Fund

July 5, 2019

FRANK DISCALA



Dear FRANK DISCALA:

The September 11th Victim Compensation Fund ("VCF") previously sent you an Eligibility determination letter on March 23, 2016 explaining the outcome of the review of your claim. Your claim number is VCF0012188. The letter included a list of condition(s) deemed eligible for compensation. You then amended your claim to add one or more new conditions.

The VCF has considered your amended claim and reviewed the new information you provided. This letter sets forth the revised eligibility determination and supersedes and replaces the previous letter.

The Decision on your Claim

Based on the information you submitted and information the VCF has received from the World Trade Center ("WTC") Health Program, you have been found eligible for the injuries listed below. *This list includes all injuries for which you have been found eligible.*

- CHRONIC PHARYNGITIS
- CHRONIC SINUSITIS
- GASTRO-ESOPH REFLUX DISEASE WITHOUT ESOPHAGITIS AND RELATED PHYSICAL CONDITIONS: OBSTRUCTIVE SLEEP APNEA ADULT PEDIATRIC
- GERD

Please note that there are several reasons why an injury that you think should be eligible is not listed above. For non-traumatic injuries, the name of the injury is based on the information provided by the WTC Health Program and there may be different names for the same injury. Additionally, your injury may not be listed if it was only recently certified for treatment by the WTC Health Program.

If in the future the WTC Health Program should notify you that a condition previously found eligible is no longer certified, you must inform the VCF as this may affect your eligibility status and/or loss calculation.

What Happens Next

You submitted the Compensation portion of your claim form. The VCF will contact you if additional information is needed in order to calculate your award. **If you believe your new condition(s) changes your compensation claim, you should amend your claim.** For



September 11th
Victim Compensation Fund

example, if your new condition is the reason you are not able to work, you should provide that information to the VCF by amending your claim. Please see the www.vcf.gov website for additional details on how to amend your claim.

If your newly eligible condition(s) does not change your compensation claim, you do not need to take any action at this time.

If in the future the WTC Health Program certifies you for treatment for a condition that was not previously certified, you may amend your claim. The VCF will review the new information and determine if it provides the basis for a revised decision.

If you have questions about the information in this letter or the claims process in general, please call our toll-free Helpline at 1-855-885-1555. For the hearing impaired, please call 1-855-885-1558 (TDD). If you are calling from outside the United States, please call 1-202-514-1100.

Sincerely,

Rupa Bhattacharyya
Special Master
September 11th Victim Compensation Fund

cc: NOAH KUSHLEFSKY